

E. ELIGIBILITY REQUIREMENTS FOR STATE FUNDED BENEFITS THROUGH THE WASHINGTON BASIC FOOD PROGRAM

Purpose: The state funded portion of the Washington Basic Food Program (Basic Food) provides benefits to some legal immigrants who are ineligible to receive federally funded Basic Food benefits. This section describes which legal immigrants can receive state funded Basic Food benefits.

Effective July 14, 2000

WAC 388-424-0025 How does my alien status impact my eligibility for state-funded benefits under the Washington Basic Food Program?

To receive state-funded benefits under the Washington Basic Food Program (Basic Food), you must be one of the following:

- (1) A qualified alien, as defined in WAC 388-424-0005, who does not meet the eligibility requirements under WAC 388-424-0020 to receive federally-funded Basic Food benefits; or
- (2) An alien who does not meet the definition of a qualified alien as defined in WAC 388-424-0005 but who is:
 - (a) Allowed to enter the U.S. for permanent residence by permission of the U.S. Attorney General under section 249 of the Immigration and Nationality Act (INA); or
 - (b) Admitted for temporary residence under section 245A of the INA and is aged, blind, or disabled as described in Title XVI of the Social Security Act; or
 - (c) Granted Temporary Resident Status by the Immigration and Naturalization Service (INS) as a special agricultural worker under section 210 of the INA; or
 - (d) Granted Family Unity status by the INS and the alien's spouse or parent is eligible to receive federal- or state-funded Basic Food benefits; or
 - (e) Permanently Residing Under Color of Law (PRUCOL) in the United States as defined in WAC 388-424-0005(4).

CLARIFYING INFORMATION

1. Income and resources of immigrants and their sponsors:

See WAC 388-450-0140 for the treatment of income of AU members who are ineligible to receive federally funded Basic Food due to alien status.

See WAC 388-450-0160 and 388-470-0060 for the treatment of income and resources of a sponsored alien's sponsor.
2. Battered aliens who are not eligible for federally funded Basic Food may be eligible for state funded benefits. See WAC 388-424-0020 for eligibility requirements for federally funded Basic Food.
3. To be eligible for state funded Basic Food, battered aliens must have proof of that they have petitioned for legal status through the INS. See Appendix - I for a link to the table of typical INS documents that indicate a petition has been filed.
4. If either the parent **or** the child is a battered alien as defined in WAC 388-424-0005, then **both** can be eligible for state funded Basic Food. Note that the children of a battered alien who has petitioned the INS are often not listed on the INS document, but are nonetheless eligible for benefits.

EXAMPLE

If only the child is abused, both mom **and** child are eligible for state funded Basic Food benefits. If only the mom is abused, both mom and child are eligible.

WORKER RESPONSIBILITIES

1. See Appendix I for links to tables that list the INS documents that can be used to verify the alien status of persons applying for assistance.
2. Update the client's alien status in ACES when the INS changes the status.

ACES PROCEDURES

See Food Assistance - State Funded Basic Food Program